

Message Text

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PAGE 01 MEXICO 13899 192332Z
ACTION L-03

INFO OCT-01 ARA-14 ISO-00 SCS-05 /023 W
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R 192320Z AUG 77
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 4369

UNCLAS MEXICO 13899

E. O. 11652: N/A
TAGS: CPRS
SUBJECT: CONVENTION ON RETURN OF AUTOMOBILES AND
AIRCRAFT

1. SUMMARY: EMBASSY HAS INFORMALLY RECEIVED DRAFT OF
GOM'S PROPOSAL FOR NEW AGREEMENT ON RETURN OF AIRCRAFT
AND VEHICLES. EMBASSY RECOMMENDS NO ACTION AT PRESENT.

2. DURING PLENARY MEETING OF SOCIAL WORKING GROUP AND
SUB-GROUP ON LEGAL ISSUES AUGUST 11-12 IN MEXICO CITY,
MEXICAN DELEGATION PRESSED FOR THE RE NEGOTIATION OF
SUBJECT CONVENTION ARGUING THAT THE PRESENT AGREEMENT
WAS OUT OF DATE BOTH IN TERMS OF PRACTICE AND PROCEDURE.
U. S. SIDE TOOK POSITION THAT THERE WAS NOTHING LACKING
IN THE PRESENT CONVENTION EXCEPT THE WILLINGNESS TO
IMPLEMENT THE AGREEMENT ON THE PART OF CERTAIN AGENCIES
(UNSPECIFIED) AND IT WAS NOTED THAT THE ATTORNEY
GENERAL HAS BEEN MOST HELPFUL IN OBTAINING THE RETURN
OF AIRCRAFT AND AUTOMOBILES UNDER HIS JURISDICTION.

3. IN FACT ATTORNEY GENERAL HAS BEEN MOST HELPFUL IN
ASSISTING IN RETURN OF AIRCRAFT AND VEHICLES. HE HAS
OBTAINED RELEASE OF AIRCRAFT FROM DEFENSE BUT HAS NOT
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BEEN ABLE TO PERSUADE CUSTOMS TO DO THE SAME, EITHER
FOR AUTOMOBILES OR AIRCRAFT. IT WAS APPARENT FROM THE
MEETINGS AND INFORMAL DISCUSSIONS THAT THERE IS AN
INTERNAL DISPUTE WITHIN THE GOM. THE ATTORNEY GENERAL
IS ATTEMPTING TO IMPLEMENT THE SPIRIT OF THE CONVEN-
TION USING EXISTING MEXICAN LAW AND AVOIDING THE
BUREAUCRATIC PROCESS NORMALLY REQUIRED BY FOREIGN

RELATIONS UNDER A FORMAL CONVENTION REQUEST. FOREIGN
RELATIONS REPRESENTATIVE STATED FRANKLY THAT HIS
DEPARTMENT WAS ATTEMPTING TO REGAIN ITS CONTROL.
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FOREIGN RELATIONS HAS ALSO LET IT BE KNOWN THAT THE
INDIVIDUAL RESPONSIBLE FOR BLOCKING THE CONVENTION
REQUESTS IN THE PAST HAS BEEN "FIRED" (TRANSFERRED
TO OTHER FUNCTIONS WITHIN SECRETARIAT).

4. IN THE SUB GROUP MEETING MEXICAN CHAIRMAN, UNDER
SECRETARY OF FOREIGN RELATIONS ROSENZWEIG-DIAZ,
RECOGNIZED THE U. S. DESIRE TO CONTINUE ITS EFFORTS
VIA THE EMBASSY BUT INDICATED THAT THE MEXICAN GOVERN-
MENT WOULD PROCEED TO PREPARE A DRAFT AGREEMENT FOR
CONSIDERATION AT THE NEXT MEETING IN WASHINGTON.
HOWEVER, AT THE END OF THE SESSION THE MEXICAN REPRE-
SENTATIVE FROM HACIENDA, GONZALEZ SALAZAR, APPROACHED
EMBASSY LEGAL ADVISER GAITHER AND GAVE HIM A DRAFT.
IMMEDIATELY THEREAFTER, ROSENZWEIG APPROACHED
GAITHER REQUESTING PRIVATE DISCUSSION. ROSENZWEIG
PROCEEDED TO ARGUE STRONGLY IN FAVOR OF THE NEGOTIATION
OF NEW AGREEMENT, POINTING OUT THAT IN FACT HE DID HAVE
SERIOUS PROBLEMS WITH OTHER AGENCIES, NOTING CUSTOMS AND
DEFENSE, AND DIFFERENCE BETWEEN CONVENTION LANGUAGE AND
PRESENT MEXICAN LAW, SPECI-
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FICALLY THE DEFINITION OF CONVERSION.

5. COMMENT: INITIAL EMBASSY CONTACTS WITH OFFICERS
IN FOREIGN RELATIONS NOW RESPONSIBLE FOR IMPLEMENTATION
OF CONVENTION HAVE BEEN POSITIVE, AND WE ARE HOPEFUL
OF SOME SUCCESS IN WORKING OUT REMAINING PROBLEM
AREAS, I. E., PROPERTY UNDER CONTROL OF CUSTOMS. THE
EMBASSY THEREFORE, RECOMMENDS AVOIDING ANY COMMIT-
MENT TO CONSIDER NEGOTIATING FOR THE PRESENT.

6. ACTION REQUESTED: WE UNDERSTAND DEPARTMENT IS
OBTAINING FORMAL ENGLISH TRANSLATION OF MEXICAN DRAFT
CONVENTION, AND REQUEST COPY BE POUCHED TO EMBASSY,
ATTENTION H. ROWAN GAITHER. THOMPSON

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NNN

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